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Via ECF

The Honorable Jesse M. Furman
United States District Court for the Southern
District of New York
40 Foley Square
New York, NY 10007

**Re: United States of America *ex rel.* W. Benson Chiles and Chris Manthey v. Cooke Inc.
et al., Case No. 1:21-cv-5743 (JMF)**

Dear Judge Furman:

We represent Defendants Alpha VesselCo Holdings, Inc. (a/k/a Ocean Fleet Services, Inc.), Alpha VesselCo, LLC (d/b/a Ocean Harvesters), Seth Dunlop, Gregory Dunlop, and Montgomery Deihl (collectively, the “Ocean Fleet Services Defendants”). We write to partially oppose Relators’ motion (ECF No. 63) regarding briefing on the motions to dismiss. Ocean Fleet Services Defendants have no objection to Relators filing a 32-page opposition to the motions to dismiss. Ocean Fleet Services Defendants do, however, object to Relators’ efforts to limit the three groups of moving parties (collectively, “Defendants”) to a single, consolidated reply brief.

The Court has already ruled that each of the three groups of Defendants may file a separate reply brief. *See* ECF No. 43 at 2 (permitting “replies,” in the plural, within a specified timeframe, while directing consolidation only for Relators’ opposition); *see also* ECF No. 61 at 1. This makes sense, as there are three sets of Defendants, represented by separate counsel, raising issues to which they are not always similarly situated. Limiting Defendants collectively to 12 pages does not allow for adequate exploration of issues anticipated to be raised by Relators in their opposition brief. It also presents logistical issues stemming from the coordination of drafting and edits among three sets of counsel in a short period of time. Finally, Relators are the ones who made the decision to sue a large group of disparately situated parties. Allowing Defendants to respond in their own voice, through their own counsel, is only fair.

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For the foregoing reasons, Ocean Fleet Services Defendants do not object to Relators filing an overlength opposition but request that the Court leave in place the previously set parameters regarding reply briefs.

Respectfully submitted,

A handwritten signature in cursive script, reading "Robert S. Silverblatt". The ink is dark, and the signature is written in a fluid, connected style.

Robert S. Silverblatt